



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

APR - 4 2018

Colton Bond, State Registration Specialist
Pesticides Program, Oregon Department of Agriculture
635 Capitol St., NE
Salem, OR 97301

Subject: FIFRA 24(c) Registration - SLN Amendment Acknowledgment Letter
SLN Registration Number: OR070013
EPA Decision Number: 539285
SLN Expiration Date: December 31, 2023
Product Name: Brigade® 2EC Insecticide/Miticide
Product EPA Reg. No.: 279-3313
Active Ingredients: Bifenthrin

Dear Mr. Bond:

This letter acknowledges receipt of the notification of the amendment to the above-noted Special Local Need (SLN) registration pursuant to section 24(c) of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended. The SLN registration permits use of Brigade® 2EC Insecticide/Miticide (containing bifenthrin) to control various insects and spider mites in clover grown for seed in Oregon. You have indicated that another mode of action is needed for growers to manage problematic insect pests, and hence the need for this use.

The Agency has completed a review of the use, and acknowledges the State's special local need registration, as amended. Please inform the registrant that we have placed a copy of the amended SLN label in our file. If you have any questions, please contact Andrea Conrath by phone at (703)308.9356, or via email at conrath.andrea@epa.gov.

Sincerely,

A handwritten signature in black ink, reading "Tawanda Maignan".

Tawanda Maignan
Acting Branch Chief
Minor Use and Emergency Response Branch
Registration Division (7505P)
Office of Pesticide Programs

cc: Chad Schulze, USEPA Region 10
Derrick Terada, USEPA Region 10 Tribal Coordinator

Receipt for Special Local Need

S: 1016786 Milestone Email:

Regulatory Type: Special Local Need - Section 24c

Application Type: Amendment

Company: 279 FMC CORPORATION

Risk Manager: Registration Division, Risk Management Team 9

SLN Number: OR070013 Product Name: BRIGADE 2EC INSECTICIDE/MITICIDE

Parent Section3: 279-3313 BRIGADE 2EC INSECTICIDE/MITICIDE

Nature Of Need: B

Resubmission: ☒ Yes ☐ No

Fee For Service: ☐ Yes ☒ No

Billable: ☐ Yes ☒ No

Print Letter

Enter More Information

Tracking

Application Date: 20-Feb-2018 OPP Rec'd Date: 05-Mar-2018

Front End Date: 05-Mar-2018 Risk Manager Send Date: 13-Mar-2018

FFS Due Date: Negotiated Due Date:

OPP Target Date:

Fast Track: ☐ New Ingredient: ☐

Receipt Description:

Revised SLN-FMC/BRIGADE 2EC, Clover grown for seed

Minor formatting, extend exp date

Form A: ☐ Signature Date: 12-31-2018 Form B: ☐ Signature Date:

New Ingredient Request Date:

New Ingredient Received Date:

New Ingredient Signature Date:

Receipt Content:

Des:

Long replacement for different
 different product, ANDREA / DUE DATE is
 FMC's Capture 2EC (OR070021)
 (ejector docs.) 03-JUNE-2018



Oregon

Kate Brown, Governor

Department of Agriculture

635 Capitol St NE
Salem, OR 97301-2532



February 20, 2018

Document Processing Desk (SLN)
Office of Pesticide Programs – 7504P
U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW
Washington, DC 20460-0001

RE: Revised SLN

FMC / Brigade 2EC (a.i. bifenthrin)
EPA Reg. No. 279-3313, EPA SLN No. OR-070013
Site: Clover Grown for Seed.
Expiration Date: December 31, 2023

The Oregon Department of Agriculture (ODA) is enclosing the revised FIFRA Section 24(c) Special Local Need (SLN) registration/label to allow use of FMC Brigade 2EC, EPA Reg. No. 279-3313 on Clover Grown for Seed in Oregon, EPA SLN No. OR-070013.

The enclosed label reflects the following revisions to this SLN registration:

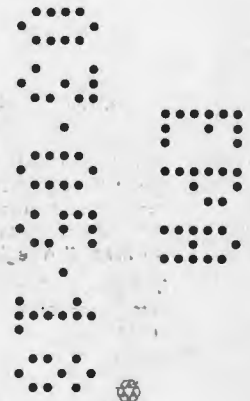
- Updated the expiration date from December 31, 2017 to December 31, 2023;
- Other minor text and formatting changes for clarity/consistency (no changes in the use pattern).

If you have any questions, please do not hesitate to contact me. Thank you.

Sincerely yours,

Colton Bond
State Registration Specialist
Pesticides Program
Oregon Department of Agriculture
635 Capitol St. NE
Salem, OR 97301
Phone: (503)986-6485
Fax: (503)986-4735
Email: cbond@oda.state.or.us

Enclosures: EPA SLN No. OR-070013 label



Handwritten text, mostly illegible due to fading and bleed-through. Some words like "The" and "and" are visible.

Handwritten text, mostly illegible.

Handwritten text, mostly illegible.

Handwritten text, mostly illegible.

RESTRICTED USE PESTICIDE

Toxic to fish and aquatic organisms.

For retail sale to and use only by certified applicators, or persons under their direct supervision and only for the uses covered by the certified applicator's certification.

Brigade[®] 2EC
Insecticide/Miticide

**FIFRA SECTION 24 (C)
SPECIAL LOCAL NEED LABEL
FOR USE ON CLOVER GROWN
FOR SEED**

**EPA SLN No. OR-070013
EPA Reg. No. 279-3313**

**FOR DISTRIBUTION AND USE
ONLY IN OREGON**

This label valid until December 31, 2023 or until otherwise amended, withdrawn, canceled, or suspended.

Active Ingredient: By Wt.

Bifenthrin: (2 methyl[1,1'-biphenyl]-3-yl)
methyl 3-(2-chloro-3,3,3-trifluoro-1-propenyl)-
2,2-dimethyl-cyclopropanecarboxylate*25.1%

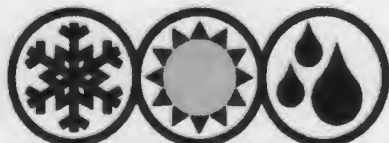
Other

Ingredients:**74.9%
100.0%

*Cis isomers 97% minimum, trans isomers 3% maximum.

**Contains xylene range aromatic solvents.

This product contains 2 pounds active ingredient per gallon.



ALL-WEATHER FORMULA

**KEEP OUT OF REACH OF CHILDREN
WARNING
AVISO**

Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle. (If you do not understand the label, find someone to explain it to you in detail.)

FMC

FMC Corporation
2929 Walnut Street
Philadelphia, PA 19104

Environmental Hazards

This pesticide is extremely toxic to fish and aquatic invertebrates. Use with care when applying in areas adjacent to any body of water. Do not apply directly to water, to areas where surface water is present or to intertidal areas below the mean high-water mark. Do not make applications when weather conditions favor drift from treated areas. Drift and runoff from treated areas may be hazardous to aquatic organisms in neighboring areas. Do not contaminate water when disposing of equipment washwaters.

This product is highly toxic to bees exposed to direct treatment or residues on blooming crops or weeds. Do not apply this product or allow it to drift to blooming crops or weeds while bees are actively visiting the treatment area.

The use of bifenthrin is prohibited in areas that may result in exposure of endangered species to bifenthrin. Prior to use in a particular county contact the local extension service for procedures and precautions to use to protect endangered species.

AGRICULTURAL USE REQUIREMENTS

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR part 170. This Standard contains requirements for the protection of agricultural workers on farms, forests, nurseries, and greenhouses, and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification, and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about personal protective equipment (PPE) and restricted-entry interval. The requirements in this box only apply to uses of this product that are covered by the Worker Protection Standard.

Do not enter or allow worker entry into treated areas during the restricted entry interval (REI) of 12 hours.

PPE required for early entry to treated areas that is permitted under the Worker Protection Standard and that involves contact with anything that has been treated, such as plants, soil, or water, is: Coveralls, Chemical-resistant gloves, such as Barrier Laminate or Nitrile Rubber or Neoprene Rubber or Viton, shoes plus socks.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. This 24(C) SLN label and the federal label for this product must be in the possession of the user at the time of pesticide application. Follow all applicable directions, restrictions and precautions on this Section 24(c) SLN label and the main EPA-registered label.

Do not apply this product in a way that will contact workers or other persons, either directly or through drift. Only protected handlers may be in the area during application. For any requirements specific to your State or Tribe, consult the agency responsible for pesticide regulation.

APPLICATION INSTRUCTIONS

General: Apply Brigade 2EC at the rate of 3.9 to 6.4 ounces (0.06 to 0.1 lb. active) per acre. Apply in a minimum of 5 gallons of water per acre by air or in a minimum of 20 gallons of water by ground.

Crop/Site: Clover grown for seed.

Target Pest: Aphids, Lygus Bugs, Spider Mites and Weevil

Application timing: Make aerial or ground applications when the wind velocity favors on target product disposition (approximately 3 to 10 MPH). Do not apply when wind velocity exceeds 15 MPH.

Rate: Use 3.9 to 6.4 ounces (0.06 to 0.1 lb. active) per acre.

Restrictions:

Do not apply more than 6.4 ounces (0.1 lb. active) per acre per treatment. Do not make more than 3 applications in a crop year. Maintain a minimum of 21 days between Brigade 2EC treatments.

Do not apply Brigade 2EC or allow it to drift to blooming crops or weeds while bees are actively visiting the treated area.

Low humidity and high temperatures increases the evaporation rate of spray droplets and, therefore, the likelihood of increased spray drift to aquatic areas. Avoid spraying during conditions of low humidity and/or high temperature. Do not make aerial or ground applications during temperature inversions.

Do not make aerial or ground applications to clover grown for seed if heavy rainfall is imminent.

Do not apply by ground equipment within 25 feet, or by air within 150 feet of lakes, reservoirs, rivers, permanent streams, marshes or natural ponds, estuaries, drainage ditches, and commercial fish farm ponds. Increase the buffer zone to 450 feet when ultra low volume (ULV) application is made.

Do not apply through chemigation.

SPECIAL CLOVER USE RESTRICTIONS

The pesticide applicator, the producer of clover seed and the seed conditioner must be aware that use of this product according to this labeling is deemed a non-feed/non-food use by the Oregon Department of Agriculture, and is regulated by Oregon Administrative Rule (OAR) 603-057-0535, Pesticide Use on Crops Grown For Seed.

If the applicator of this pesticide is not the producer, the applicator must provide a copy of this labeling to the producer of the crop. Producers of this crop who use this product, or cause the product to be used on a field they operate, must provide a copy of this pesticide label to the seed conditioner.

This pesticide does not have an established pesticide residue tolerance for this crop. Consequently, no portion of this seed crop may be used or distributed for food or feed for 1 year (365 days) after the last application of this product. This restriction pertains to, but not limited to, green chop, forage, hay, pellets, meal, whole seed; cracked seed, straw, roots, bulbs, foliage or seed screenings, and to the grazing of the crop field, stubble or regrowth. All seed screenings shall be disposed of in such a manner that the screenings cannot be distributed or used for food or feed purposes, as indicated in OAR 603-057-0535. Additional regulations concerning seed screenings are stated in OAR 603-057-0535.

Any seed from a field treated with this pesticide shall bear specific and conspicuous container labeling, or if shipped in bulk, on the shipment invoice or bill of lading. The labeling shall contain the following statement:

"This seed was produced using one or more products for which the United States Environmental Protection Agency has not established pesticide residue tolerances. This seed, in whole, as sprouts, or in any form, may not be used for human consumption or animal feed. Failure to comply with the condition may violate requirements of the Federal Food and Drug Administration, the Oregon Department of Agriculture and other regulatory agencies."

Conditions of Sale and Limitation of Warranty and Liability:

NOTICE: Read the entire Directions for Use and Conditions of Sale and Limitation of Warranty and Liability before buying or using this product. If the terms are not acceptable, return the product at once, unopened, and the purchase price will be refunded.

The Directions for Use of this product must be followed carefully. It is impossible to eliminate all risks inherently associated with the use of this product. Crop injury, ineffectiveness, or other unintended consequences may result because of such factors as manner of use or application, weather or crop conditions beyond the control of FMC or Seller. All such risks shall be assumed by Buyer and User, and Buyer and User agree to hold FMC and Seller harmless for any claims relating to such factors.

Seller warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated on the Directions for Use when used in accordance with the directions under normal conditions of use. EXCEPT AS WARRANTED BY THIS LABEL, FMC MAKES NO WARRANTIES OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE, NOR ANY OTHER EXPRESS OR IMPLIED WARRANTIES WITH RESPECT TO THE SELECTION, PURCHASE, OR USE OF THIS PRODUCT. Any warranties, express or implied, having been made are inapplicable if this product has been used contrary to label instructions, or under abnormal conditions, or under conditions not reasonably foreseeable to (or beyond the control of) seller or FMC, and buyer assumes the risk of any such use.

To the extent consistent with applicable law FMC or seller shall not be liable for any incidental, consequential or special damages resulting from the use or handling of this product. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, THE EXCLUSIVE REMEDY OF THE USER OR BUYER, AND THE EXCLUSIVE LIABILITY OF FMC AND SELLER FOR ANY AND ALL CLAIMS, LOSSES, INJURIES OR DAMAGES (INCLUDING CLAIMS BASED ON BREACH OF WARRANTY, CONTRACT, NEGLIGENCE, TORT, STRICT LIABILITY OR OTHERWISE) RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT, SHALL BE THE RETURN OF THE PURCHASE PRICE OF THE PRODUCT OR, AT THE ELECTION OF FMC OR SELLER, THE REPLACEMENT OF THE PRODUCT.

This Conditions of Sale and Limitation of Warranty and Liability may not be amended by any oral or written agreement.

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